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APR 25 2005

PTO/SB/21 (02-04)

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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/799 113 | |
| | Filing Date | 03/12/2004 | |
| | First Named Inventor | NYE, JR., CHARLES J. | |
| | Art Unit | 3612 | |
| | Examiner Name | GORDON, STEPHEN T. | |
| Total Number of Pages In This Submission | 3 | Attorney Docket Number | 03-099 |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm or Individual name | Bohan, Mathers & Associates, LLC | |
| Signature | <i>Peter J. Mathers</i> | |
| Date | April 25, 2005 | |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|----------------------------|------|----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Sent via Fax to: 703-872-9306 | | | |
| Typed or printed name | Peter J. Somerville | | |
| Signature | <i>Peter J. Somerville</i> | Date | April 25, 2005 |

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APR 25 2005

Application No.: 10/799113 Confirm. No.: 8234
Filing Date: 3/12/2004
Inventor: Charles J. Nye, Jr.
Title: Dump Trailer
Art Unit: 3611
Examiner: GORDON, STEPHEN T.
Attorney Docket No.: 03099

To: Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Response to Restriction Requirement

Dear Sir:

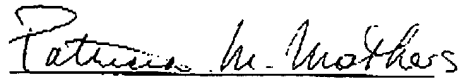
This election is being filed in response to the restriction requirement of April 6, 2005.

Examiner indicated that FIG. 2 was a separate Species from Species A, when actually, FIG. 2 is only a different view of the trailer shown in FIG. 1. Thus, Species A includes FIGS. 1 – 5B and Applicant requests that Examiner amend his definition of Species A to include these figures.

Applicant asserts that claim 1 is generic to Species A (and B, see below) and E, as shown in FIGS. 1 – 5B, and 12 – 16, because claim 1 recites a trailer and a tow bar assembly that reads on both these embodiments. The corresponding claims are claims 11 – 13. Applicant therefore traverses Examiner's restriction of Species E and requests that Examiner include these corresponding claims in his examination of the application.

Nevertheless, in order to file a complete response to the Restriction Requirement, Applicant elects Species A (FIGS. 1 – 5B) and the claims 1 – 10 that read on that Species, and withdraws from examination claims 11 – 15.

Respectfully submitted,



Patricia M. Mathers

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Date: April 25, 2006

Attached: Transmittal sheet